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OCT 24 2006

REMARKS

Claims 1-66 stand rejected. Applicant herein amends claims 1, 10, 11, 13, 17, 27, 28, 32, 33, 36, 37, 39, 41, 53-56 and 66, and cancels claims 35, 57-60 and 62-65 without prejudice.

It should be appreciated that Applicant has elected to amend Claims 1, 10, 11, 13, 17, 27, 28, 32, 33, 36, 37, 39, 41, 53-56 and 66 and to cancel claims 35, 57-60 and 62-65 solely for the purpose of expediting the patent process in a manner consistent with the PTO's Patent Business Goals, 65 Fed. Reg. 54603 (9/8/00). In making such amendments, Applicant has not and does not in any way narrow the scope of protection to which the Applicant considers the invention herein entitled. Rather, Applicant reserves the right to pursue such protection at a later point in time.

Hilton Davis / Festo Statement: Amendments herein to Claims 1, 10, 11, 13, 17, 27, 28, 32, 33, 36, 37, 39, 41, 53-56 and 66 were not made for any reason related to patentability. These claims are amended to clarify the invention and to conform with standard claim drafting procedure.

Claims 1 and 27 are rejected under 35 U.S.C. § 112, first paragraph for including limitations not supported by the specification. Although for the record Applicant believes the limitations in question are supported by the specification, this issue is now moot as the limitations cited by the Examiner are deleted by the current amendment.

Claims 1-3. 8-12, 14, 18-29, 34-40, 44-52 and 57-65 are rejected under 35 U.S.C. § 102(b) as being anticipated by Tagawa. Applicant respectfully traverses this rejection. As amended, independent claim 27 recites "receiving a request for travel information...***automatically determining a context*** from said received request for travel information, ***without prompting said end user to enter information***; ***automatically searching*** a database ***according to said*** query and ***context*** for a search result, ***without any interaction with a human agent***, wherein said search result comprises said travel information in a singular, concise and consistent format, thereby providing ease of use for an end user, and returning said search result to said end user." (emphasis added).

More specifically, a user enters a request for travel information, and ***a search context is automatically determined*** from the received request, ***without prompting said end user to enter information***. In other words, from only the information the user entered on his own without being prompted, and without requiring that the user type-in or otherwise provide any additional information, a context for the users request is automatically determined. In Tagawa on the other hand, the process is started by prompting the user to enter information, which the user has to type-in. After this, the user is generally required to enter additional information in order for Tagawa to locate relevant travel information.

Additionally, the present invention as recited by claim 27 automatically determines a search context for the user based on the received request. The determined context (which is typically broader the actual request as entered) is

used to glean relevant travel information for the user. Tagawa does not determine a context at all, but simply uses the manually entered information to search the database.

Furthermore, as recited by claim 27, the database is automatically searched ***according to the determined context, without any interaction with a human agent.*** As noted above, Tagawa does not search the database according to an automatically determined context, but instead based on the limited, user-entered information. Because Tagawa is so limited, it often puts the user in touch with a human travel agent via its built in telephone as part of the search process. On the contrary, as recited by claim 27, the travel information for the user is always found in the database ***without any interaction with a human agent.***

Claims 29, 34, 36-40 and 44-52 all depend from claim 27, and thus should be allowable for at least the same reasons as claim 27. Claim 35 is canceled herein.

Claim 1 is a system claim similar in scope to claim 27, and thus should be allowable for the same reasons as claim 27. Claims 2-3, 8-12, 14,18-26 and 61 all depend from claim 1, and thus should be allowable for at least the same reasons as claim 1.

Claims 53-56 and 66 are rejected under 35 U.S.C. § 103(a) as being unpatentable over a hypothetical combinations of Tagawa and Notes. Applicant respectfully traverses this rejection. As amended, independent claim 53 recites "receiving a search request for travel information from said end user,

automatically determining a context from said received request...without prompting said end user to enter information, wherein said context comprises at least an interest and a destination; performing a first query of said...database according to said interest...responsive to receiving results to said first query...returning said results...***responsive to not receiving results to said first query...performing a second query of said...database according to said a destination***." (emphasis added).

First of all, claim 53 recites all of the limitations of claim 27 not disclosed or suggested by Tagawa, as discussed above. The Notes reference does not disclose or suggest these features either, nor does the Examiner posit such.

Furthermore, as per the Examiner's admission, neither Tagawa nor Notes disclose performing a second query according to destination if a first query according to interest fails to return results. The Examiner argues that such a limitation would have been obvious to one of ordinary skill in the relevant art "because it is well known in the arts that companies would not want to give up a potential customer" and so if a first query failed to produce results "the travel reservation system would allow the customer to plan his travel according to destination." However, claim 53 does not recite "not giving up a potential customer" or "allowing a customer to plan his travel according to destination." In fact, claim 53 does not recite anything about a customer at all. Instead, claim 53 recites a specific search methodology which consists of various steps that are not disclosed by the cited references. The Examiner's statement that it would be obvious to solve a specific technical problem as claim 53 solves it because "it is

well known in the arts that companies would not want to give up a potential customer" is not grounded in the law or rules. The Examiner must show every limitation of the rejected claim, as well as motivation to combine them and reasonable expectation of success. Simply assuming that one of ordinary skill in the art could come up with the recited invention because they would not wish to loose a customer fails to meet the Examiner's burden to establish a prima facie case of obviousness.

Applicant notes further that "allow[ing] the customer to plan his travel according to destination" is not the limitation that is not disclosed by the references. The recited limitation that the Examiner admits is not disclosed by the cited references is "responsive to not receiving results to said first query according to said interest, performing a second query of said at least one internal travel information database according to said a destination, without any interaction with a human agent." As noted above, the position that this step is someone obvious because it is well known that no one wants to loose a customer is not tenable.

Claims 54-56 and 66 all depend from claim 53, and thus should be allowable for at least the same reasons as claim 53.

Various other dependent claims are rejected under 35 U.S.C. § 103(a) as being unpatentable over various hypothetical combinations of Tagawa with other references. For the record, applicant respectfully traverses the assertions that the proposed hypothetical combinations would disclose the recited limitations of the rejected claims, and that sufficient motivation exists to combine the

references. However, such analysis is now moot the rejected claims are all dependent upon an independent claim discussed above, and thus should be allowable for at least the same reasons.

In view of the above, the Application is deemed to be in allowable condition. The Examiner is therefore earnestly requested to withdraw all outstanding rejections, allowing the Application to pass to issue as a United States Patent. Should the Examiner believe that a telephone conversation would be helpful or desirable, he is respectfully urged to contact Applicant's attorney at (650) 474-8400.

Respectfully submitted,

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